

Message Text

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C O N F I D E N T I A L STATE 204066

FOLLOWING REPEAT USUN 2619 SENT ACTION SECSTATE INFO BONN, DAR
ES SALAAM, GABORONE, LAGOS, LONDON, LUSAKA, MAPUTO, OTTAWA,
PARIS, PRETORIA, STOCKHOLM, VIENNA, CAPE TOWN 17 AUG 77

QUOTE C O N F I D E N T I A L USUN 2619

STOCKHOLM FOR AMBASSADOR MCHENRY

DEPARTMENT PLEASE PASS TO SECRETARY

E.O. 11652: GDS
TAGS: PORG, UN, SF, WA
SUBJECT: NAMIBIA: TALKING POINTS FOR BRIEFING OF SOUTH AFRICA, ETC.

1. THE FOLLOWING, AD REFERENDUM TO CAPITALS, IS THE NEW YORK
CONTACT GROUP'S AGREED TEXT OF TALKING POINTS FOR USE IN
BRIEFING SOUTH AFRICA, THE FRONTLINE STATES, NIGERIA AND
UN SECRETARY GENERAL WALHDEIM ON THE RESULTS OF THE
WESTERN FIVE TALKS WITH SWAPO.

2. WE UNDERSTAND THAT DEPUTY UK PERM REP JAMES MURRAY WILL
BRIEF WALDHEIM ON BEHALF OF THE FIVE IN VIENNA
AUGUST 18. THE FIVE AMBASSADORS/CHARGES IN THE FRONT-
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LINE STATES AND NIGERIA PRESUMABLY WILL BRIEF HOST
GOVERNMENTS AND WILL, THEREFORE, HAVE TO CONSULT ON
THE TIMING. ASSUMING NO MAJOR PROBLEMS WITH THE
AGREED TEXT, BRIEFINGS BEFORE THE START OF THE LAGOS
ANTI-APARTHEID CONFERENCE (AUGUST 22) WOULD BE DESIRABLE.

QUOTE

THE FIVE'S BRIEFING OF SOUTH AFRICA, THE FRONTLINE STATES,
AND NIBERIA AND THE SECRETARY GENERAL WOULD IN ALL CASES BEGIN

WITH AN ORAL PRESENTATION OF THE NON-PAPER AGREED BETWEEN THE FIVE AND SWAPO ON 11 AUGUST. THESE BRIEFINGS WOULD BE SUPPLEMENTED BY REMARKS TAILORED TO FIT THE MAIN PREOCCUPATIONS OF THE PARTIES CONCERNED, AND WOULD STRESS BOTH THE POSITIVE ACHIEVEMENTS OF THE TALKS WITH SWAPO AND THE FURTHER ACTION WHICH THE FIVE NOW HOPED EACH PARTY WOULD TAKE, OR BE PREPARED TO RECOMMEND.

FOR SOUTHAFRICA

(A) THE CONTACT GROUP'S TALKS WITH SWAPO WERE BUSINESSLIKE, AND SWAPO WERE LED FOR THE FIRST TIME TO DISCUSS SERIOUSLY POSSIBLE PRACTICAL SOLUTIONS.

(B) SWAPO'S INITIAL PRESENTATION LISTED THOSE MAIN PRINCIPLES WHICH IN THEIR VIEW HAD TO BE MET IN ORDER TO ACHIEVE A SETTLEMENT ACCEPTABLE TO THEM. THOSE WHICH SHOULD NOT CAUSE DIFFICULTIES WERE FREE ELECTIONS, UNIMPEDED PROGRESS TO GENUINE INDEPENDENCE, RESPECT

AND PRESERVATION OF PUBLIC PROPERTY, RESPECT FOR THE SOVEREIGNTY OF INDEPENDENT NAMIBIA, AND THE TERRITORIAL INTEGRITY OF NAMIBIA - THOUGH IT SHOULD BE NOTED, IN CONNECTION WITH THE LAST, THAT THE QUESTION OF WALVIS BAY'S FUTURE WAS NOT RAISED BY EITHER SIDE.

(C) IT WAS CLEAR THAT THE MAIN OBSTACLES RELATED TO THE NATURE OF THE TRANSITIONAL ADMINISTRATION, AND, MORE IMPORTANT, TO SWAPO'S DE-CONFIDENTIAL

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MAND THAT ALL SOUTH AFRICAN MILITARY FORCES SHOULD BE COMPLETELY WITH-

- DRAWN BEFORE THE BEGINNING OF THE ELECTORAL PROCESS. THE TASKS THEREFORE CONCENTRATED ON THESE TWO ISSUES, AND SECONDLY ON THE QUESTION OF POLITICAL PRISONERS.

(D) ON WITHDRAWAL, AND THE RELATED QUESTION OF MILITARY DISPOSITIONS DURING THE TRANSITIONAL PERIOD, THE MAJOR ACHIEVEMENTS WERE SWAPO'S ACCEPTANCE IN PRINCIPLE TO A CEASEFIRE AND THE CONFINEMENT TO BASE OF THEIR FORCES. WE DID NOT DISCUSS THE DETAILED CONDITIONS OF THE CEASEFIRE, WHICH IT WAS AGREED SHOULD BE ANNOUNCED BEFORE THE PASSAGE OF A SECURITY COUNCIL RESOLUTION AUTHORIZING THE APPOINTMENT OF THE SPECIAL REPRESENTATIVE AND TAKE EFFECT UPON THE ARRIVAL OF THE U.N. ELEMENT. NOR DID WE DISCUSS AT THIS STAGE WHERE SWAPO'S TROOPS WOULD BE CONFINED ON AND AFTER THE DATE OF THE CEASEFIRE. SWAPO HAVE, HOWEVER, ACCEPTED THE PRINCIPLE THAT SUCH CONFINEMENT SHOULD BE SUPERVISED BY UNITED NATIONS OBSERVERS.

(E) SWAPO INSISTED UPON A UN PEACEKEEPING FORCE. THEY DID NOT HAVE ANY FIXED IDEAS ABOUT THE SIZE OF SUCH A FORCE BUT MADE IT CLEAR THAT THE FORCE WOULD HAVE TO BE OF A SIZE SUFFICIENT TO ENSURE A FAIR ELECTORAL PROCESS. WE SUGGESTED THAT THE UN'S CHIEF RESPONSIBILITY IN THIS FIELD WAS TO SUPERVISE A CEASEFIRE, AND THAT THIS COULD EQUALLY AS WELL BE EFFECTED BY CIVILIAN OR MILITARY OBSERVERS UNDER THE SPECIAL REPRESENTATIVE'S DIRECTION AS BY A PEACEKEEPING FORCE. A POSSIBLE WAY OF DEALING WITH THIS MIGHT BE THE ORGANIZATION OF AN APPROPRIATE NUMBER OF MILITARY OBSERVERS AS A GROUP ATTACHED TO THE SPECIAL REPRESENTATIVE.

(F) ON THE QUESTION OF THE RATE OF WITHDRAWAL OF SOUTH AFRICAN ARMED

FORCES, SWAPO REMAINED ADAMANT DURING THIS ROUND OF TALKS THAT ALL SOUTH AFRICAN TROOPS MUST BE WITHDRAWN PRIOR TO THE PENING OF THE ELECTION CAMPAIGN. WE CONTINUED TO STATE OUR VIEW THAT A NEGOTIATED SETTLEMENT WOULD EQUIRE A PLAN OF PHASED SOUTH AFRICAN WITHDRAWAL OVER THE WHOLE TRANSITIONAL PERIOD PRIOR TO INDEPENDENCE. WE RECOGNIZE THAT SWAPO'S POSITION IS FAR REMOVED FROM YOUR OWN BUT THERE ARE INDICATIONS THAT IT MAY BE SOMEWHAT MORE FLEXIBLE THAN THEY WOULD ADMIT INITIALLY. TO BUILD CONFIDENCE AND ENCOURAGE FLEXIBILITY WE NOW CONFIDENTIAL

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URGENTLY NEED FROM YOU AN ILLUSTRATIVE PLAN OF PHASED AND SUBSTANTIAL WITHDRAWAL OF YOUR FORCES. IN OUR VIEW THIS IS AN AREA IN WHICH SUBSTANTIAL COMPROMISE WILL HAVE TO BE MADE IF AGREEMENT IS TO BE REACHED. A PROPERLY SUPRVISED CEASEFIRE SHOULD GREATLY REDUCE THE NEED FOR THE MAINTENANCE OF LARGE FORCES IN NAMIBIA DURING THE TRANSITIONAL PERIOD.

(G) AS WE HAVE ALREADY MENTIONED, SWAPO RAISED THE QUESTION OF THE ROLE OF THE POLICE DURING THE TRANSITIONAL PERIOD. WE HAVE NOT DISCUSSED THIS QUESTION IN ANY DETAIL WITH YOU SO FAR, BUT WOULD LIKE TO DO SO WHEN WE NEXT MEET.

(H) AS REGARDS THE ARRANGEMENTS FOR CIVILIAN ADMINISTRATION DURING THE TRANSITIONAL PERIOD, SWAPO INITIALLY TOOK THE POSITION THAT WHILE THEY DID NOT OBJECT TO THE PRESENCE OF SOME SOUTH AFRICAN PERSONNEL IN THE TRANSITIONAL ADMINISTRATION OF AMIBIA, THE UN HAD TO BE IN A DOMINANT POSITION. WE REPLIED THAT SWPO'S POSITION MERELLY REAFFIRMED THE STANDARD UN JURIDICAL VIEW OF THE PROBLEM, AND WE TOLD SWAPO THAT THE EXPRESSION "THE ADMINISTRATOR-GENERAL WOULD HAVE TO SATISFY THE UN SPECIAL REPRESENTATIVE AT ALL STAGES" SHOULD FULLY MEET SWAPO'S PREOCCUPATIONS. SWAPO EVENTUALLY AGREED THAT WHATEVER THE TERMINOLOGY THE REPRESENTATIVES OF THE SECRETARY-GENERAL WOULD HAVE TO HAVE THE POWER TO APPROVE THE ACTIONS OF THE TRANSITIONAL ADMINISTRATION, IN SO FAR AS THE TRANSITIONAL PROCESS WAS CONCERNED, ON THIS BASIS, SWAPO WOULD NOT OPPOSE THE APPOINTMENT OF AN ADMINISTRATOR-GENERAL BY SOUTH AFRICA. WE BELIEVE THAT, THOUGH BOTH SIDES WILL NO DOUBT PRESENT THE RELATIONSHIP BETWEEN THE ADMINISTRATOR-GENERAL AND THE SPECIAL REPRESENTATIVE IN THEIR OWN WORDS, THERE DOES NOW APPEAR TO BY UNDERLYING AGREEMENT ON THE SUBSTANCE OF THE MATTER. IN PARTICULAR

, SWAPO UNDERSTOOD THAT WHILE "APPROVAL" WOULD BE THEIR EXPRESSION, THE FIVE WOULD CONTINUE TO USE "TO BE SATISFIED WITH".
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(I) SWAPO DID ACQUIESCE IN ADVANCE CONTINGENCY PLANNING BY THE UN SECRETARIAT IN CONNECTION WITH THE IMPLEMENTATION OF RESOLUTION 385, BEARING IN MIND OF COURSE THAT NO FORMAL ACTION COULD BE TAKEN IN ADVANCE OF SECURITY COUNCIL APPROVAL. WE ARE SPEAKING TO THE

SECRETARY-GENERAL AND URGING HIM TO INSTRUCT HIS STAFF TO BEGIN CONTINGENCY PLANNING, IN CONSULTATION WITH US.

(J) SWAPO REPEATEDLY EXPRESSED THEIR CONCERN ABOUT WHAT THEY REGARDED AS THE OPEN SUPPORT WHICH SOUTH AFRICA HAD BEEN GIVING IN RECENT WEEKS TO THE TURNHALLE REPRESENTATIVES. WE POINTED OUT TO SWAPO, THAT SUCH DEVELOPMENTS UNDERLINED THE NEED FOR EARLY MOVEMENT TOWARDS AN ACCEPTABLE SETTLEMENT AND THE INSTALLATION OF A UN SPECIAL REPRESENTATIVE IN NAMIBIA. AS YOU KNOW, WE STRONGLY BELIEVE THAT THE SOUTH AFRICAN GOVERNMENT MUST BE IMPARTIAL, AND BE SEEN TO BE IMPARTIAL PRIOR TO AND DURING THE ELECTORAL PROCESS.

(K) AS YOU WILL HAVE GATHERED FROM OUR EARLIER PRESENTATION, THERE WAS DISAGREEMENT ABOUT THE ROLE OF THE PROPOSED PANEL OF JURISTS. WE BELIEVE, HOWEVER, THAT THIS SHOULD BE A MANAGEABLE PROBLEM, A SOLUTION TO WHICH SHOULD FALL INTO PLACE ONCE AGREEMENT HAS BEEN REACHED ON THE MAJOR ISSUES.

(L) AS REGARDS DETAINEES AND POLITICAL PRISONERS, SWAPO EXPRESSED THEIR DESIRE TO SEE ALL SUCH NAMIBIANS HELD BY SOUTH AFRICA RELEASED AS EARLY AS POSSIBLE. WE REITERATED OUR VIEW THAT THE SAME PRINCIPLE APPLIED TO ALL NAMIBIANS WHEREVER HELD, BUT THERE WAS NO SUBSTANTIVE DISCUSSION OF THIS MATTER.

(M) THE CONTACT GROUP LOOK FORWARD TO A FURTHER ROUND OF TALKS WITH SOUTH AFRICA AND WILL BE IN TOUCH WITH THEM AS TO THE LOCATION AND TIMING.

FOR NIGERIA AND FRONT-LINE STATES

NIGERIAN AND THE FRONT-LINE STATES SHOULD BE TOLD THAT,
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ALTHOUGH CONSIDERABLE DIFFICULTIES REMAIN, WE WERE ENCOURAGED BY OUR TALKS WITH SWAPO WHICH WE FOUND VALUABLE AND CONSTRUCTIVE. THEIR OUTCOME SUGGESTS THAT IT SHOULD BE POSSIBLE TO FIND A PRACTICAL SOLUTION TO THE NAMIBIAN PROBLEM PROVIDED THAT FURTHER FLEXIBILITY ON ALL SIDES CAN BE OBTAINED. WE OURSELVES ARE APPROACHING SOUTH AFRICA ONCE MORE. WE WOULD BE GREATFUL IF THE AFRICAN GOVERNMENTS MIGHT USE THEIR INFLUENCE TO ENCOURAGE SWAPO TO BE READY TO CONSIDER APPROACHES WHICH WOULD PERMIT FURTHER PROGRESS. IN ADDITION, IN VIEW OF THE FACT THAT SWAPO ACQUIESCED IN THE NEED FOR THE CONTINGENCY PLANNING, WE WOULD APPRECIATE THE AFRICAN GOVERNMENTS ENCOURAGEMENT OF SUCH ADVANCE PLANNING BY THE SECRETARIAT, BEARING IN MIND OF COURSE THAT NO FORMAL ACTION COULD BE TAKEN IN ADVANCE OF SECURITY COUNCIL APPROVAL.

IT SEEMS UNLIKELY THAT THERE WILL BE TIME TO GIVE WALDHEIM A DETAILED BRIEFING ON ALL ASPECTS OF OUR TALKS WITH SWAPO BEFORE HE LEAVES FOR LAGOS. IT IS SUGGESTED THEREFORE THAT AT THIS STAGE WALDHEIM SHOULD SIMPLY BE GIVEN AN ORAL PRESENTATION OF THE AGREED NON-PAPER, FOLLOWED BY THE PARTICULAR POINTS ON CONTINGENCY

PLANNING SET OUT BELOW; AND THAT HE SHOULD BE TOLD THAT THE FIVE WOULD BE HAPPY TO HAVE A FULLER DISCUSSION WITH HIM AT A CONVENIENT MOMENT.

(A) PRESENTATION OF AGREED NON-PAPER.

(B) AS YOU WILL SEE, WE EXPLAINED TO SWAPO THAT IT WOULD BE VERY DIFFICULT TO MOVE AHEAD, PARTICULARLY IN FORMULATING A MANDATE FOR THE SECURITY COUNCIL, UNLESS THE UN SECRETARIAT WERE PREPARED TO MAKE SOME CONTINGENCY PLANNING OF THEIR OWN, AND NOT SIMPLY TO RESPOND TO REQUESTS FOR INFORMATION BY THE FIVE. SWAPO INDICATED TO US THAT THEY HAD NO PROBLEM WITH THE SECRETARIAT COMMENCING SUCH PLANNING IN CONNECTION WITH THE IMPLEMENTATION OF RESOLUTION 385, BEARING IN MIND, OF COURSE, THAT NO FORMAL CONFIDENTIAL

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ACTION COULD BE TAKEN IN ADVANCE OF SECURITY COUNCIL APPROVAL.

(C) WE ENTIRELY AGREED WITH SWAPO THAT FORMAL ACTION WOULD REQUIRE SECURITY COUNCIL APPROVAL. WE BELIEVE, HOWEVER, THAT THE CONCERNS YOU EXPRESSED TO US AT OUR LAST MEETING ABOUT THE DIFFICULTIES OF PROCEEDING WITH CONTINGENCY PLANNING WITHIN THE SECRETARIAT IN THE ABSENCE OF PRIOR AGREEMENT BETWEEN THE TWO SIDES ON THE BASIC ISSUES SHOULD NOW HAVE BEEN DISPELLED BY SWAPO'S WILLINGNESS TO AGREE TO SUCH PLANNING. WE, THEREFORE, CONSIDER IT IMPORTANT THAT WHEN YOU RETURN TO NEW YORK, AND AFTER FURTHER DISCUSSION IF NECESSARY WITH US, YOU WILL AGREE THAT SUCH PLANNING SHOULD NOW BE UNDERTAKEN. WE DO NOT WISH TO SEE A SITUATION IN WHICH A SUBSTANTIAL MEASURE OF AGREEMENT AMONG THE PARTIES CANNOT BE CARRIED FORWARD BECAUSE THE U.N. HAS NOT UNDERTAKEN CONTINGENCY PLANNING. THIS WOULD INCLUDE GIVING THOUGHT TO THE LEVEL OF STAFFING REQUIRED, AND TO WHICH COUNTRIES MIGHT BE APPROACHED AT A LATER STAGE TO PROVIDE INDIVIDUALS OR GROUPS OF INDIVIDUALS FOR THE SPECIAL REPRESENTATIVE'S STAFF. OTHERWISE THERE IS

A REAL RISK OF A LENGTHY INTERVAL BETWEEN THE PASSAGE OF A SECURITY COUNCIL RESOLUTION AUTHORIZING THE APPOINTMENT OF A SPECIAL REPRESENTATIVE, AND UNITED NATIONS ABILITY TO MUSTER THE REQUISITE NUMBER OF STAFF TO ACCOMPANY THE SPECIAL REPRESENTATIVE, AND SO TO INAUGURATE UN INVOLVEMENT IN THE TRANSITIONAL PERIOD.

YOUNG

UNQUOTE CHRISTOPHER

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